REMARKS

Applicant appreciates the time taken by the Examiner to review Applicant's present application. Applicant has amended Claims 1, 14, 29, 42, 57, 70 and 85. Applicant submits that no new matter has been added. Thus, Claims 1-85 are pending. This application has been carefully reviewed in light of the Official Action mailed December 31, 2007. Applicant respectfully requests reconsideration and favorable action in this case.

Rejections under 35 U.S.C. § 103

Claims 1-85 stand rejected as obvious over U.S. Publication No. 2002/0061031 ("Sugar") in view of U.S. Patent No. 7,039,358 ("Shellhammer"). Applicant respectfully traverses this rejection at least because Sugar and Shellhammer (either alone or in combination) fail to disclose all the limitations of the rejected claims.

Claim 1, as amended, recites a method, comprising mitigating interference between piconets including: detecting interference between a first piconet and a second piconet; and ceasing transmission on a first set of bands wherein the first piconet ceases transmission by at least one of a plurality of devices on the first set of bands and the second piconet continues to utilize the first set of bands wherein at least the first set of bands is determined via coordination between the first piconet and the second piconet, wherein the first piconet corresponds to a first x-length code and the second piconet corresponds to a second x-length code different from the first x-length code each x length code corresponding to x number of dwell times and each dwell time corresponds to a band, such the first x-length code corresponds to a first band sequence and the second x-length code corresponds to a second band sequence different from the first band sequence and contention time between the first piconet and the second piconet does not exceed 1/x of the number of dwell times in the x-length code if each of the dwell times is of equal length and such the contention time between the first piconet and the second piconet does not exceed the longest dwell time if the dwell times are of different lengths. Claims 14, 29, 42, 57, 70, 85 recite similar limitations.

Thus, embodiments of the present invention may allow piconets to communicate or otherwise coordinate to establish one or more bands on which each piconet will (or will not) transmit in order to mitigate interference between transmissions among devices in the piconets by allowing different piconets to transmit on substantially orthogonal sets of bands. (See,

Specification at least at pgs 30-35). By determining and utilizing two substantially orthogonal sets of bands both piconets may, in one embodiment, continue to transmit simultaneously in a given time period.

Sugar, however, discloses a method for mitigating interference through holding off or delaying transmission of signal. (See Sugar, Paragraph [0058]-[0071]). After reviewing the cited portions Sugar, Applicant respectfully submits that Sugar does not disclose any coordination between piconets to determine which bands will be utilized by each piconet. Thus, Applicant respectfully submits that Sugar does not disclose at least the limitation of Claim 1 which recites ceasing transmission on a first set of bands wherein the first piconet ceases transmission by at least one of a plurality of devices on the first set of bands and the second piconet continues to utilize the first set of bands wherein at least the first set of bands is determined via coordination between the first piconet and the second piconet. Furthermore, after reviewing the cited portions of Shellhammer, Applicant respectfully submits that Shellhammer does not ameliorate the deficiencies of Sugar.

Moreover, embodiments of the present invention may pertain to piconets which corresponds to x-length codes, each x length code corresponding to x number of dwell times and each dwell time corresponding to a band such an x-length code may correspond to a band sequence. Using such x-length codes contention time between the piconets may not exceed 1/x of the number of dwell times in the x-length code if each of the dwell times is of equal length and such the contention time between the first piconet and the second piconet does not exceed the longest dwell time if the dwell times are of different lengths.

After reviewing both the Sugar and Shellhammer references, Applicant cannot find where utilizing x-length codes such as these is disclosed and respectfully submits that neither Sugar nor Shellhammer discloses the limitation of Claim 1 which recites "wherein the first piconet corresponds to a first x-length code and the second piconet corresponds to a second x-length code different from the first x-length code each x length code corresponding to x number of dwell times and each dwell time corresponds to a band, such the first x-length code corresponds to a first band sequence and the second x-length code corresponds to a second band sequence different from the first band sequence and contention time between the first piconet and the second piconet does not exceed 1/x of the number of dwell times in the x-length code if each of the dwell times is of equal length and such the contention time between the first piconet and the second piconet does not exceed the longest dwell time if the dwell times are of different lengths".

Accordingly, Applicant respectfully requests the withdrawal of the rejection of Claim 1, similar Claims 14, 29, 42, 57, 70 and 85 and dependent Claims 2-13, 15-28, 30-41, 43-56, 58-69 and 71-84.
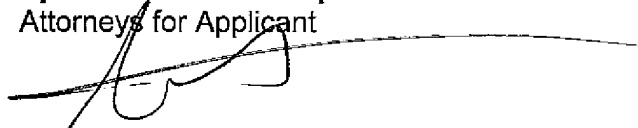
Conclusion

Applicant has now made an earnest attempt to place this case in condition for allowance. Other than as explicitly set forth above, this reply does not include an acquiescence to statements, assertions, assumptions, conclusions, or any combination thereof in the Office Action. For the foregoing reasons and for other reasons clearly apparent, Applicant respectfully requests full allowance of Claims 1-85. The Examiner is invited to telephone the undersigned at the number listed below for prompt action in the event any issues remain.

The Director of the U.S. Patent and Trademark Office is hereby authorized to charge any fees or credit any overpayments to Deposit Account No. 50-3183 of Sprinkle IP Law Group.

Respectfully submitted,

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